

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ULKU ROWE,

Plaintiff,

-against-

GOOGLE LLC,

Defendant.

No. 1:19-cv-08655 (LGS)(GWG)

**DECLARATION OF KEVIN LUCAS  
IN SUPPORT OF MOTION TO SEAL**

I, KEVIN LUCAS, declare:

1. I am a Director, Human Resources for Defendant Google. I have personal knowledge of the facts set forth in this declaration, or know them to be true in my capacity as an employee for Google based on records that Google keeps in the regular course of business. I could and would competently testify to these facts under oath if called as a witness.

2. I have worked in Google's Human Resources organization since approximately July 2013, and have supported various groups within Google's Cloud organization since approximately February 2018. In my current role, I am responsible for supporting an area of the business to help manage their cyclical programs, onboard new leadership, maximize organizational effectiveness, develop talent, and other similar initiatives.

3. I understand that Plaintiff Ulku Rowe has submitted documents identified as Exhibits 7, 8, 9, 12, and 15 under seal with her opposition to Google's request to prevent the deposition of a former executive. I have reviewed Exhibits 8, 9, 12 and 15 in connection with this declaration and understand that they identify Google customers, clients, and other sensitive, commercial information, as well as proposals to re-organize one area of Google's Cloud business, the Office of the CTO. I also understand that Google has marked these documents as "Confidential" pursuant to the protective order governing the treatment of confidential

information in this case. I have not reviewed Exhibit 7, as my understanding is that the document has been marked Attorneys' Eyes Only under the protective order, but I understand that document to contain information similar to the contents of Exhibits 8 and 9.

4. By virtue of my role, I am familiar with the steps Google takes to preserve the confidential nature of information about its Cloud clients and customers. Identification of Google's Cloud customers and clients is generally not disseminated outside of Google without permission from the customer or client. For example, I am currently working on an initiative that includes a panel of customers for Google Cloud. Because the panel discussion might include disclosure about the customer's relationship with the company, Google is seeking written agreement from the customer to record the discussion.

5. Contact information for individuals at the customer or client company, the substance of their communication with Cloud executives, and the cadence at which they communicate with Google (all of which appear in plaintiff's Exhibits 8 and 9) are almost never disclosed without a compelling business justification for doing so. These are just some of the ways in which Google seeks to protect information concerning its commercial relationships. Information of this nature appears in plaintiff's Exhibits 8, 9, and 15.

6. I am also familiar with the steps Google takes to preserve the confidential nature of its strategies for growing its Cloud business. For example, lists of Google Cloud's top priority clients are not disseminated outside of Google. Projects or products on which Googlers are working to advance Cloud's business objectives, or key relationships Google employees are working to build in furtherance of those objectives, are not widely disclosed outside the business, especially during initial planning or exploratory phases of those projects, products, or initiatives. Information of this nature appears in plaintiff's Exhibits 8, 9, and 15.

7. Disclosure of this information in a public filing would put Google at a competitive disadvantage in the highly competitive cloud marketplace. Google's Cloud product competes with only a few other offerings from a small number of competitors in the industry. Disclosure of the specific clients the Cloud business is targeting, the types of businesses or entities with which it is seeking to build relationships, the individuals at those companies who are in contact with Google Cloud's executives (former or otherwise), and the initiatives on which its employees are working would, among other things, provide those competitors with insights into Google's commercial strategies for attracting business and remaining competitive in the marketplace.

8. Finally, I am also familiar with the steps Google takes to preserve the confidential nature of its organizational structure and changes thereto for various areas within the company. Google generally does not disseminate this information outside the company. Within the company, unless or until the changes are actually implemented, information of the type that appears in plaintiff's Exhibit 12 is restricted to those on a need-to-know basis, usually consisting of the managers whose organizations will be impacted, Human Resources, and (potentially) Google's legal department.

9. Disclosure of this information in a public filing would put Google at a competitive disadvantage because it would provide its competitors with a blueprint of how to model parts of its organization and allocate resources in the same manner as Google. Google has expended considerable time, effort, and resources to organize its Cloud business in a manner to best achieve operational efficiency, and any competitive advantage gained through these efforts would be lost if disclosed to its competitors. In addition, the information that appears in plaintiff's Exhibit 12 contains the names and reporting structure for employees not a party to this

lawsuit. Disclosure of their information and their place within Google's organizational structure would result in an unwarranted invasion of their personal privacy.

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE  
UNITED STATES THAT THE FOREGOING IS TRUE AND CORRECT.**

Signed on the 4th day of December, 2020 at San Francisco, CA.

DocuSigned by:  
  
kevin lucas  
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KEVIN LUCAS